

E-filed: November 2, 2012

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LOAY S. NASER,

No. C10-04475 EJD (HRL)

Plaintiff,

ORDER ON DDJR #1

v.

[Dkt. 62]

METROPOLITAN LIFE INSURANCE
COMPANY, ET AL.,

Defendants.

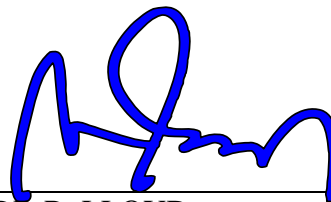
In this employment suit plaintiff Loay S. Naser (“Naser”) seeks relief against defendants Metropolitan Life Insurance Company, MetLife Enterprise General Insurance Agency, Inc., and MetLife Securities (collectively “MetLife”) for alleged (1) wrongful/discriminatory termination; (2) hostile work environment; (3) failure to pay owed wages; and (4) failure to reimburse reasonable and necessary expenses. MetLife has already depose Naser for the seven hours allowed under Rule 30(d)(1) of the Federal Rules of Civil Procedure but it would like to depose Naser for an additional seven hours. Naser opposes this request.

Rule 30(d)(1) limits a deposition to one day of seven hours but “[t]he court must allow additional time consistent with Rule 26(b)(2) if needed to fairly examine the deponent.” Fed. R. Civ. P. 30(d)(1). The Court has reviewed the competing contentions of the parties and finds that additional time is needed for a fair examination of Naser. Naser is the plaintiff in this case and he brings a range of employment claims that span approximately 18 years. He is also the sole fact witness that Defendants seek to depose. For these reasons, the Court grants MetLife leave to

1 conduct further oral examination of Naser for one additional day of up to seven hours no later than
2 November 16, 2012.¹

3 **IT IS SO ORDERED.**

4 Dated: November 2, 2012



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6 HOWARD R. LLOYD
7 UNITED STATES MAGISTRATE JUDGE
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¹ Because this DDJR was timely filed, MetLife may have the additional day of deposition even though discovery has otherwise closed.

C10-04475 EJD (HRL) Order will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.